Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* Many things are done there. These things have to be discussed here. Whether the House will bear with those things, is the question to be answered.

Mr. K. Kochukunhan Kaimal *(Vadakkancheri):* Have the Government any information that these leaflets have been filed as exhibits in courts?

Mr. M. Sivarama Menon *(Advocate-General):* Government have no information with regard to the exhibits filed in that case.

Mr. A. B. Salem *(Mattancheri):* Can we take the opinion of the Hon'ble Member who raised the point of order.

Mr. President: My ruling is that as we have no information as to whether the publications have been filed as exhibits, or whether they have any reference to matters connected with the case. This matter can therefore be considered without infringing the rules prohibiting the discussion on such matters by the Hon'ble Members.

Mr. A. V. Moothedan *(Chalakkudi):* At the outset I wish to submit on the floor of this House that the contents of these publications will not be agreed to any lover of Hinduism.

Mr. President: I may inform the Hon'ble Members that I have already seen the author of the pamphlets and have given him a serious warning that action will be taken against him if he continues to publish anything likely to arouse ill-feeling and I have instructed the Commissioner of Police to keep a very careful watch on him and note his activities. Up to now, there have been no further activities on those lines in the Press. Government have every intention to take immediate action, should any action be necessary. As far as the future is concerned, the Hon'ble Members can rest assured that if there is any activity, immediate action will be taken against the Press.

Mr. A. V. Moothedan *(Chalakkudi):* Since the President has stated that Government is taking proper action in the matter, I don't want to press the motion.

Motion, by leave, withdrawn

CUT MOTION No. 5

Making provision for giving a reasonable allowance to Honorary Magistrates of the Bench Courts

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* I move *to reduce the allotment of Rs. 45,018 for Law and Justice (c) by Re. 1.* The object in moving this cut motion is to impress upon the Government *the necessity of making provision for giving a reasonable allowance to the Honorary Magistrates of the Bench Courts.* Sir, The Bench Courts constituted in the three Municipal towns of Cochin have been working very satisfactorily for the last many years, and the volume of work and the scope of the case have been very much increased recently. I understand that they have to discharge very onerous duties when presiding over the courts and the President will have extraordinary duties to administer, the office work and also works connected with that. In the nature of things, I think it will only be in the fitness of things to give them an honorarium. Recently in the report submitted by the committee appointed by the government to revise the Panchayat Courts there was a proposal that it was advisable to give even the Panchayat Judges an honorarium of sitting fees. So I submit that an allowance to the honorary magistrate of the bench court will be a healthy innovation.

Mr. V. J. Mathai *(Planters):* I regret I have to oppose this. My reasons are these. Firstly, it will be creating an invidious distinction between other honorary workers. We find that honorary magistrates are not the only people doing honorary work. There are honorary visitors to institutions, Panchayat Judges, Panchayat members, Municipal Councillors—quite a number of them. Even the Legistative Council Members are not given an honorarium. They are only given travelling allowance. I find the number will be legion. What about the war workers? The taluk presidents, and quite a number of honorary workers, who do selfless work.—In the interest of the country as well as the world at large. If we extend this principle, I do not know where this honorarium business about which I have serious complaints will stop. Secondly, I understand from the Hon'ble Dr. A. R. Menon that in British India, such a practice is not available. And,when we go to Travancore, there also there is no honorarium. Thirdly, once you continue to give honorarium, the scuffle and the struggle for getting the honorarium will be very great. A Rs. 20 job is fought for between communities, individuals and others and recommendations are brought in. I suppose for these reasons, I have to oppose the motion.

Mr. K. S. Panicker *(Ezhuvas-Mukundapuram):* On a point of information, what is the income of the Bench Magistrate Court at Ernakulam, in the years 1115, 16 and 17?

LIBRARY ARCHIVES Kerala Legislative Assembly

Rama Varmha Tampuran *(Secretary to Government)* : I have no information. I am sorry.

Government regret they cannot accept the principle of this cut motion. As was pointed out, neither in British India nor in Travancore this practice of paying the honorary bench magistrate exists. Further there are also several classes of other honorary workers, and we cannot make any invidious distinction between one class and another. For these reasons the Government regret they cannot accept this motion.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli)* : I beg to withdraw the motion.

Motion, by leave, withdrawn

Demand of Rs. 2,01,523 under 16. Law and Justice put and carried

11. Law and Justice (Cranganur) Rs. 11,571

Mr. M. Sivarama Menon *(Advocate-General)* : I beg to move for the grant of Rs. 11,571 under 11—Law and Justice—Cranganur.

Demand put and carried

17. Jails Rs. 64,378

Rama Varmha Tampuran *(Secretary to Government)* : I rise to move for an allotment of Rs. 64,378 under 17—Jails. No detailed explanation is called for on the figures, and I request the House may be pleased to vote this grant.

CUT MOTION No. 1

Making special arrangements for Political prisoners in our Jails

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: I beg to move *to reduce the allotment of Rs. 64,400 for Jails by Rs. 2.* The object of this cut motion is to bring to the notice of the Government *the desirability of making special arrangements for the political prisoners in our Jails.* I feel that the Government would do well to set up an Adhoc Committee to go into the question in detail and frame proposals for the acceptance of the Government. But the motion now before the House has got only a restricted scope. It deals only with the question of political prisoners. Therefore I confine myself to that aspect of the matter alone. Sir, I understand that except for a few small amenities like there being allowed, news-papers, and periodicals, political prisoners of the jail are allowed no special treatment. The political prisoners are people who have committed no offence involving any moral turpitude. They are people who have moral courage to say what they feel and to do what they say. It might happen that they come into clash with the views of the Government at times, but the present political prisoner of today may become Minister of tomorrow. Whatever it is, a system which allows a man who for the courage of his convictions is allowed to rub shoulders with a martyr, with a common thief, is one which does not at all redown to the credit of civilised Government. I understand that according to the present jail rules, our political prisoners are allowed to have interviews with kinsmen only once in three months. They are allowed to write letters only once in three months. Such restrictions should not be placed on such prisoners. I request the Government to consider this matter with all sympathy and I call upon this House to support this motion.

Dr. A. R. Menon *(Trichur-North)*: As a matter of information, was there not a committee appointed a few years ago by the Government ? I think certain recommendations were made for the classification of prisoners.

Rama Varmha Tampuran *(Secretary to Government)*: It has been done. There is provision, under the Jail Rules, for the classification of prisoners into three, A, B and C. Rule 701 (b).

Mr. K. Ayyappan *(Ezhuvas-Kanayannur)*: Are all political prisoners included under A class.

Rama Varmha Tampuran *(Secretary to Government)*: The court must decide under which class a convicted person should be placed.

Mr. K. Ayyappan *(Ezhuvas-Kanayannur)*: If he is not classified, he will have to go along with other prisoners ?

Rama Varmha Tampuran *(Secretary to Government)*: The Judge or the District Magistrate must decide whether the person should be classed under, Class A, Class B or Class C. He makes the recommendation to the Government.

LIBRARY ARCHIVES Kerala Legislative Assembly